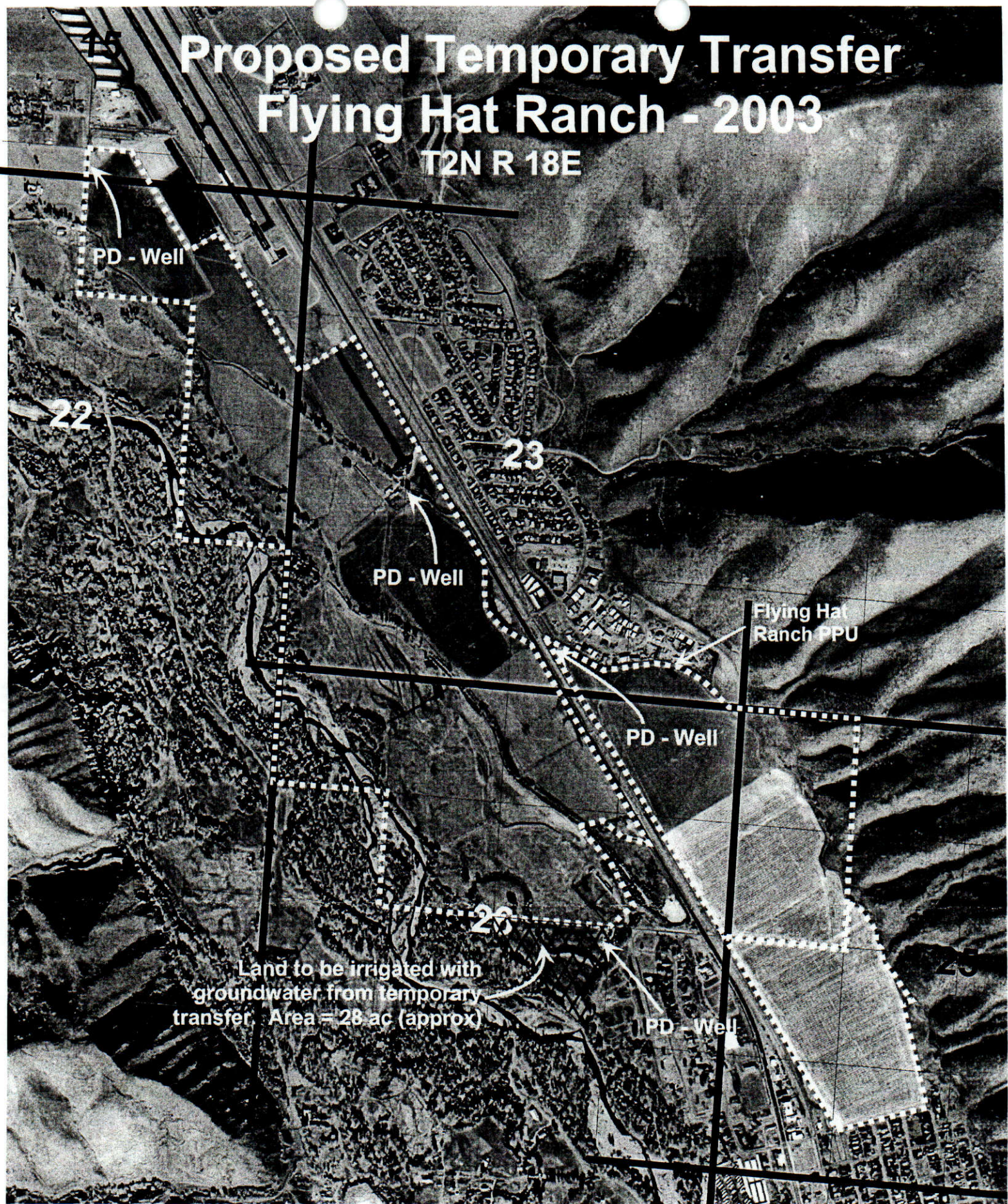
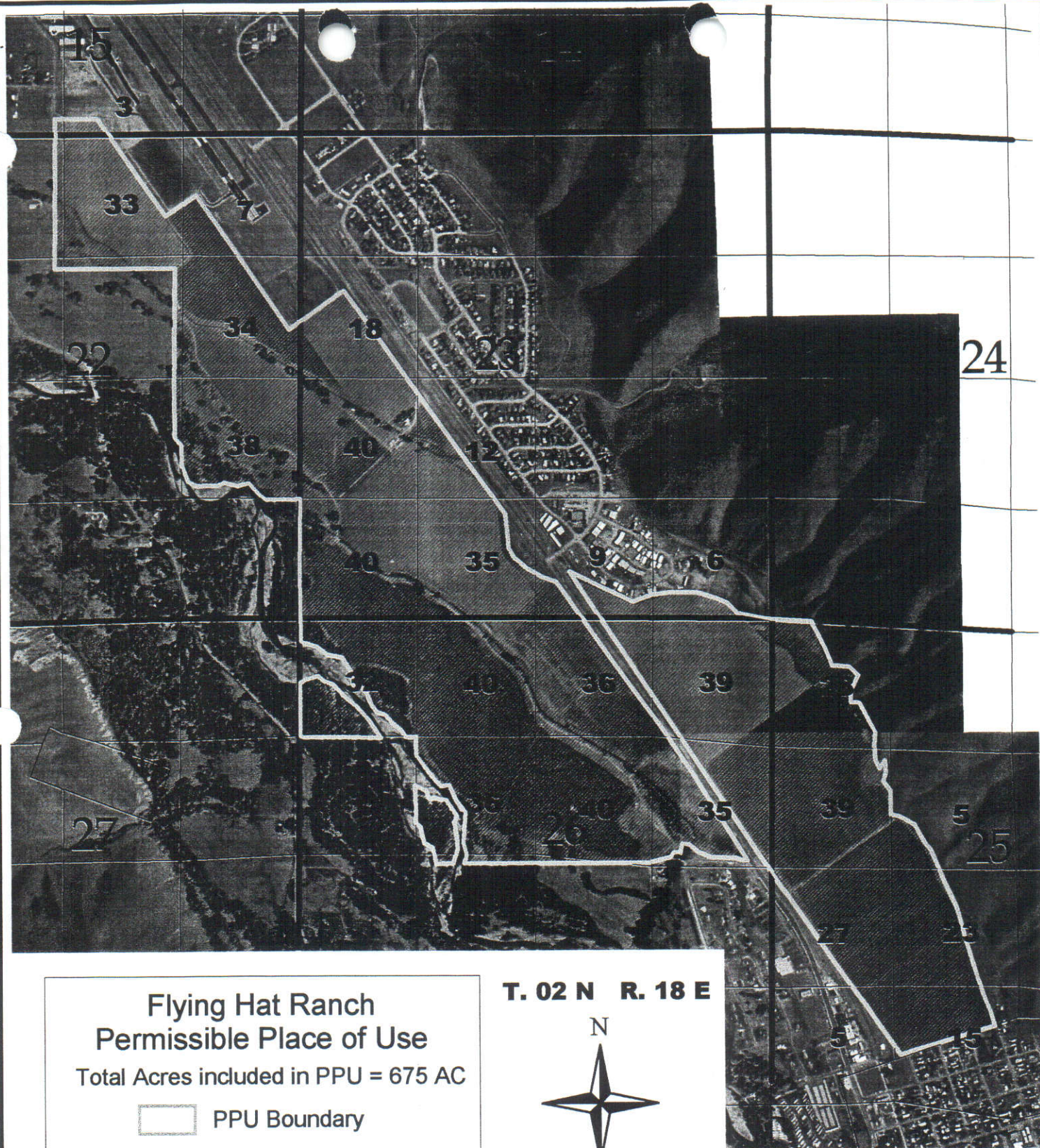


Proposed Temporary Transfer Flying Hat Ranch - 2003

T2N R 18E



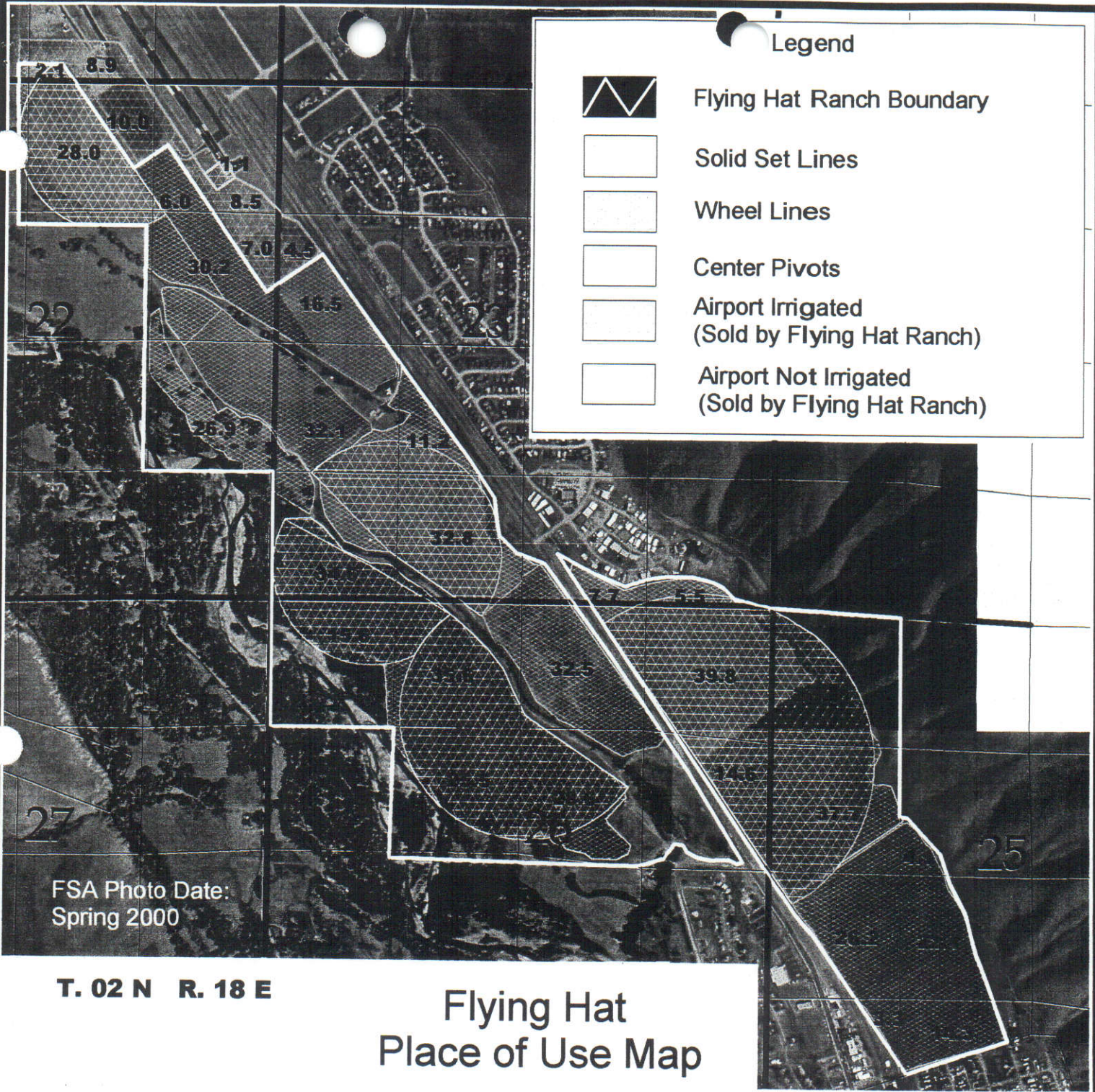


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SEP 03 2003

Brockway Engineering, PLLC 7 September, 2000

SEP 03 2003



FSA Photo Date:
Spring 2000

T. 02 N R. 18 E

Flying Hat Place of Use Map



Total Irrigated Acres on Flying Hat Property= 557.1 Acres
Total Acres Owned by Airport = 40.0 Acres
Total Irrigated Airport Acres = 38.9 Acres
Total Irrigated Acres, Airport and Flying Hat Properties = 596.0 Acres

MICROFILMED

SEP 03 2003 Brockway Engineering, PLLC 8 September, 2000

SEP 03 2003

Proposed Temporary Transfer Flying Hat Ranch - 2001

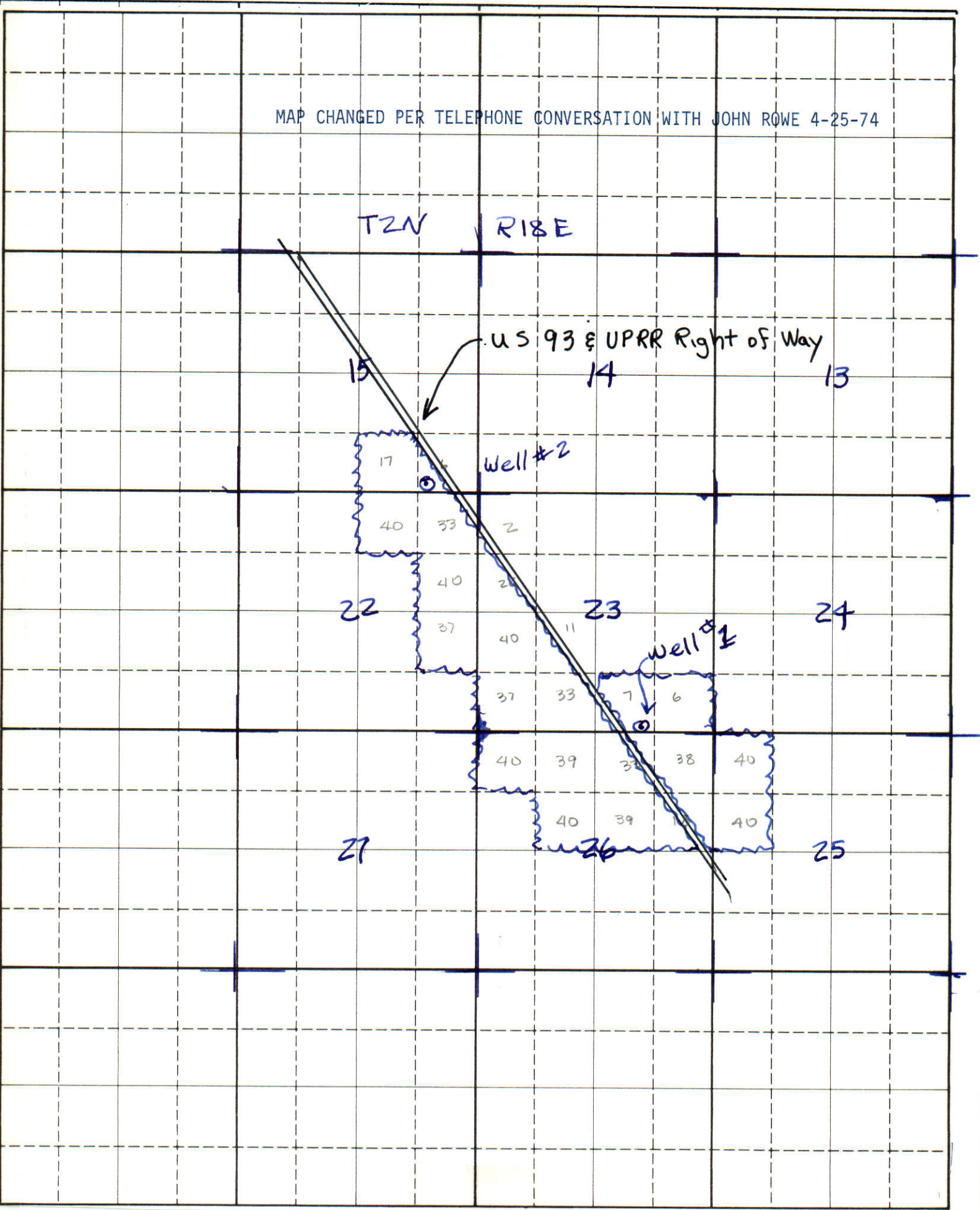
Land not irrigated by Flying Hat Ranch in 2001 irrigation season.
Approx acreage = 48 ac

Flying Hat Ranch PPU

Land to be irrigated with groundwater from temporary transfer. Area = 28 ac (approx)

PD well

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Spencer F. Eccles
(Applicant)

37 7356

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

MAY 15 1974

Department of Water Administration
Southern District Office

GORDON O. GLASMANN

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 2nd day of May, 1974, and the date of the last publication was on the 9th day of May, 1974.

Subscribed and sworn to before me this 14th

day of May, 1974.
(SEAL)

Roberta J. Jorgensen
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>45</u>	
Number of Insertions	<u>2</u>	
Lines tabular at	315c	
<u>45</u> Lines straight at	21c	<u>9.45</u>
<u>45</u> Subsequent lines at	15c	<u>6.75</u>
TOTAL COST		<u>16.20</u>

COPY OF NOTICE

(Paste Here)

*Notice of Application for
Water Permit # 37-7356*

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

*Dept of Water Administration
1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Spencer F. Eccles, P. O. Box 390, Salt Lake City, Utah has on 4-23-74 submitted Application No. 37-7356 for a permit to appropriate 2.68 cubic feet per second of water from subterranean by means of 2 wells and pumps in existence within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T 2N, R 18E, B.M., Blaine Co. to be used from May 1 to Sept. 1 for irrigation of 658 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 25, NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T 2N, R 18E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before May 20, 1974.

R. KEITH HIGGINSON
Director

Published: Wood River Journal, Blaine County, May 2 and 9, 1974.

37 7356

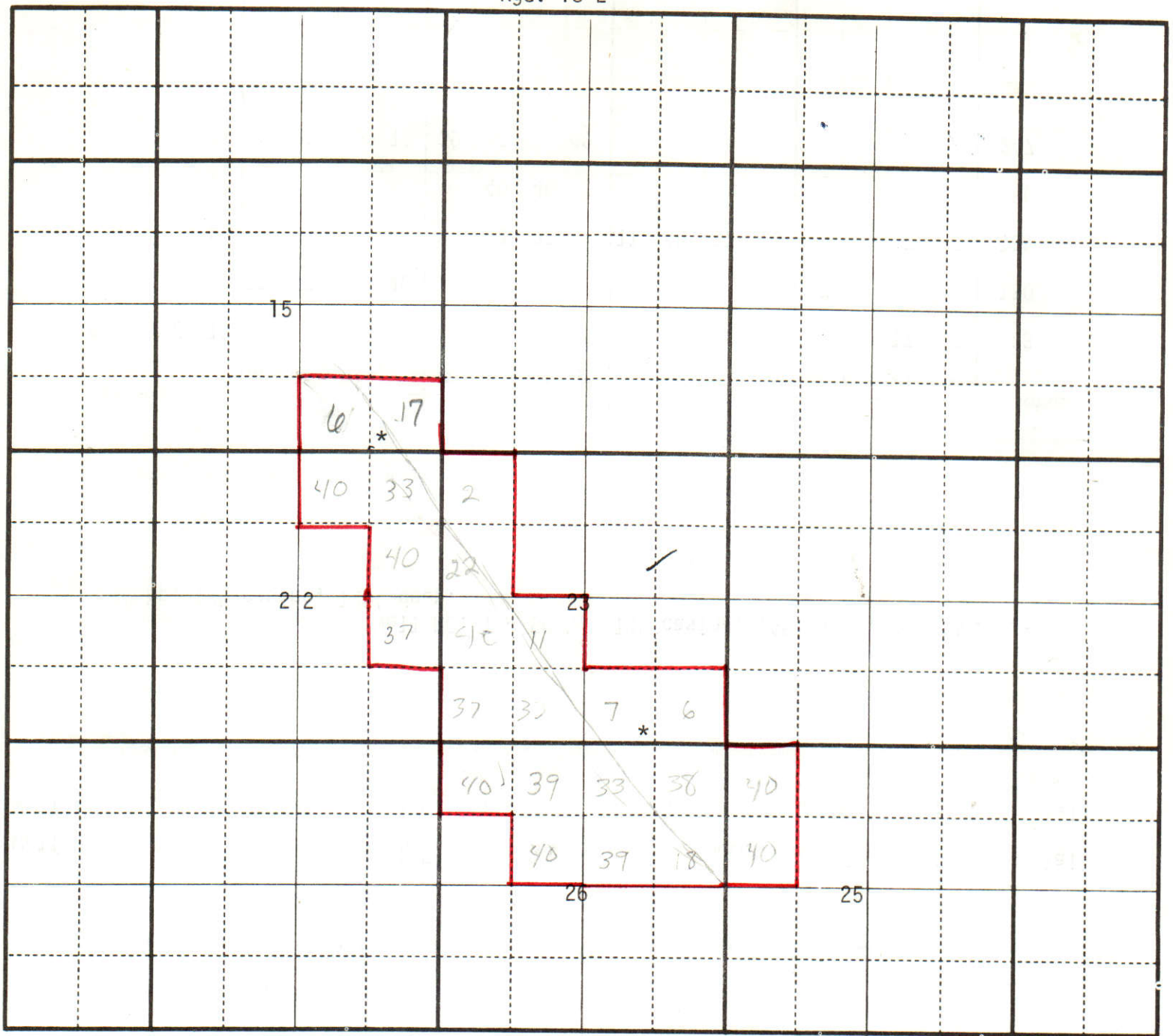


Diagram of System

Central District Office
Department of Motor Vehicles

JUN 13 1912

RECEIVED

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

RECEIVED

AUG 26 2003

Department of Water Resources

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-37-32 IN THE)
NAME OF FLYING HAT RANCH)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on August 22, 2003 Flying Hat Ranch ("applicant") submitted the attached Temporary Change Application TC-37-32 ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). 37-02713 part and 37-07356 part is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full

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SEP 03 2003

water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Portions of Rights 37-02713 and 37-07356 are limited to the irrigation of 28 acres within the NWSE of Section 26, T02N, R18E for the remainder of the 2003 irrigation season. For this allowance 28 acres shall remain un-irrigated during the 2003 irrigation season of the 596 acres allowed to be irrigated within the 675 acre permissible place of use established by transfer 69809.
5. The use of the portions of rights 37-02713 and 37-07356 as requested is limited to 0.02 cfs per acre (0.56 cfs total) at the field headgate for sprinkler irrigation of the 28 acres authorized by this approval.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. This temporary change approval expires on 10/31/2003 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 22nd day of August, 2003.



Allen Merritt, PE
Southern Region Manager

CERTIFICATE OF MAILING

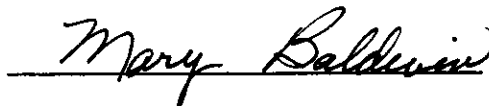
I hereby certify that on the 25th day of August, 2003 a true and correct copy of the above and foregoing Order Authorizing Temporary Change was forwarded with all required charges prepared, by Regular U.S. Mail to the parties listed:

C. E. BROCKWAY P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

JASON C. HELMS, EIT
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

SPENCER F. ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125

LEE PETERSON WATERMASTER
WATER DISTRICT # 37
PO BOX T
SHOSHONE ID 83352



Mary A. Baldwin
Administrative Assistant I

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SEP 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 26 2003

TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Department of Water Resources

Name of Applicant: Spencer F. Eccles - Flying Hat Ranch

Phone: (801) 350-5329

Post Office Address: P.O. Box 30006 Salt Lake City, UT 84125

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof. Curtailment of WR 37-08858 will leave acreage without water for irrigation. This request will temporarily transfer 28 acres of ground water to the Miram property from the ground water rights appurtenant to the Flying Hat Ranch. Both lands and water rights are owned by the applicant.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-02713</u>	<u>8/18/1965</u>	<u>0.47 cfs</u>	<u>IRR</u>	<u>8/22</u> to <u>11/1</u>
<u>37-07356</u>	<u>4/28/1974</u>	<u>0.13 cfs</u>	<u>IRR</u>	<u>8/22</u> to <u>11/1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.60 cubic feet per second and/or 112 acre-feet per annum.
3. Source of water Ground Water tributary to _____

4. Points of diversion:

Ident. No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local Name for diversion
			NW	SE	26	2N	18E	Blaine	

5. Land irrigated or place of use:

TWP	RGE	SEC	N.E.				N.W.				S.W.				S.E.				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	26														28			28

MICROFILMED

Total Acres: 28

SEP 03 2003

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right. Applicant owns property & water rights.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Ranch will cease to irrigate 28 acres during remainder of 2003 season.
- d. Has the water right sought to be transferred been used this year? ☒ Yes ☐ No
If yes, explain. Partially used on land not dried up within existing PPU.
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation of crop land. No expansion of diversion rate or acres allowed.
- f. Describe other water rights used for the same purpose.
Surface water rights currently cut by watermaster.
- g. Remarks: See attached letter.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Chris E. Brinkley
Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by AD Date 8/22/03 Fee 50⁰⁰

Receipted AD # 5026073 Recommend: ✓ approve deny

Watermaster recommendation N/A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-37-32
And said application is hereby approved, subject to the following limitations and conditions:

See attached Order dated 8/22/03

Witness my hand this 22nd day of August, 2003

MICROFILMED

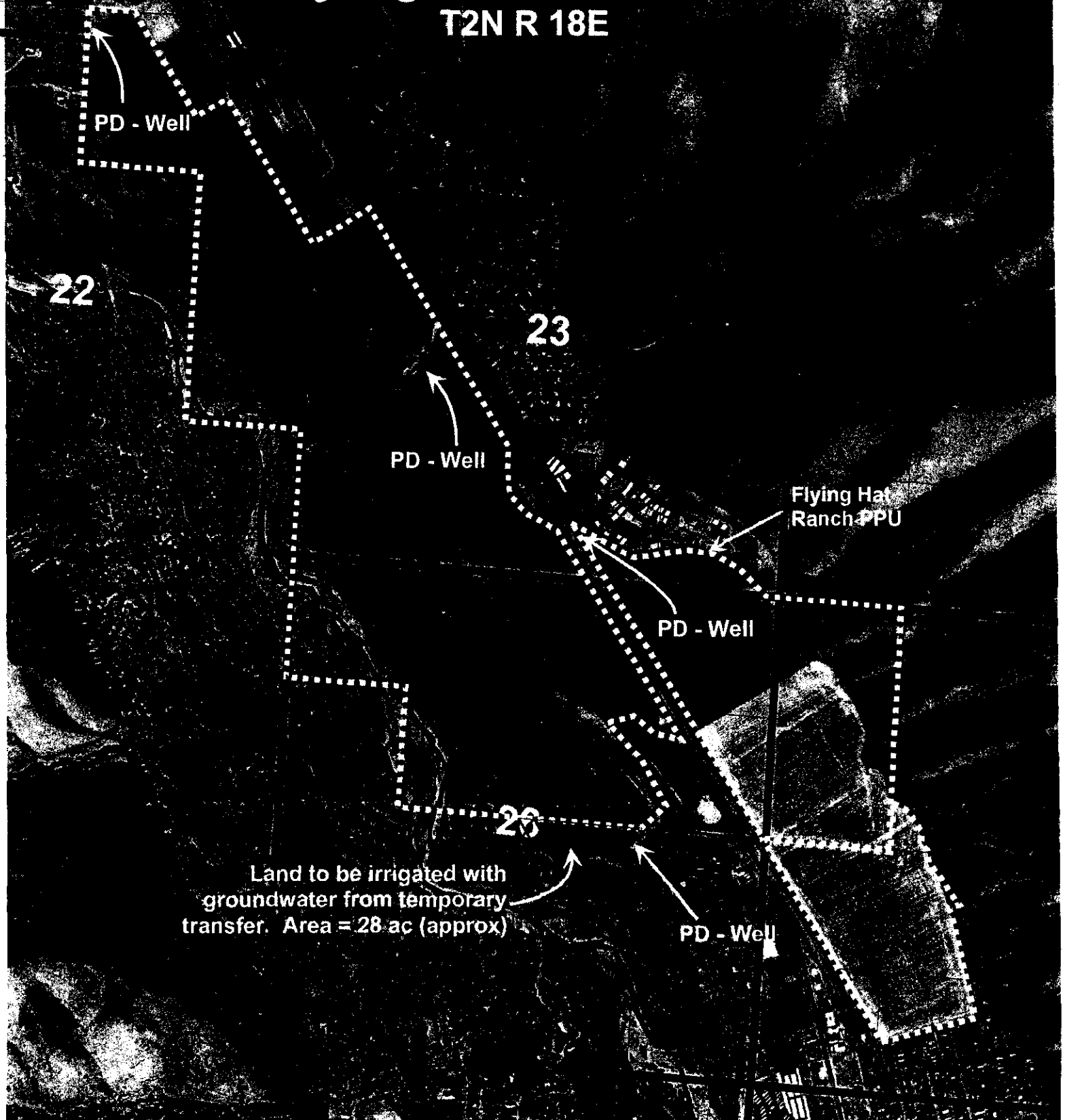
SEP 03 2003

For the Director

Chris E. Brinkley

Proposed Temporary Transfer Flying Hat Ranch - 2003

T2N R 18E



LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Spencer F. Eccles - Flying Hat Ranch, hereby nominate and appoint
Charles E. Brockway as my attorney-in-fact with full authority to act
for and on my behalf to undertake any and all acts or matters pertaining to water right transfers
before the Idaho Department of Water Resources for the following water right transactions:
37-02713
37-07356
37-0885B
for the 2003 season

In Blaine County, Idaho. Additionally, I hereby ratify and confirm any
and all such acts on matters as contemplated herein.

My agent is hereby authorizing to sign, seal and deliver, as my act in deed, those said instruments
of writing that may be necessary or proper to carry into execution and effect the applications, and
transfers above-mentioned. Further, I hereby declare that each and every application, transfer,
agreement, receipt, or payment which shall be by my said agent given, made or done for the
aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and
delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever
my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of
these presents. This Limited Power of Attorney will become void upon approval, denial or
withdrawal of the above referenced applications.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal

Dated this 18 day of August 2003.

Spencer F. Eccles
Signature

State of Idaho)

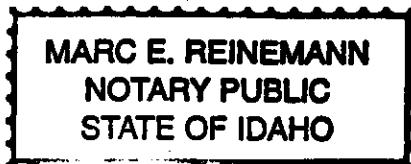
County of BLAINE)

ss.

On this 18th Day of AUGUST, 2003, before me, a Notary Public in
and for said County and State, personally appeared SPENCER F. ECCLES
known or identified to me to be the individual whose name and subscription to the within
instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year in this certificate first above written.

S
E
A
L



Marc E. Reinemann
Notary Public
In and for said State and County

RESIDING IN SUN VALLEY, ID
My Commission Expires
OCTOBER 18, 2004

MICROFILMED

JUL 19 2002

Department of Water Resources

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT TC-37-18 IN THE)
NAME OF FLYING HAT RANCH)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on July 15, 2002 Flying Hat Ranch ("applicant") submitted the attached Temporary Change Application TC-37-14 ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). 37-02713 part and 37-07356 part is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full

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SEP 03 2003

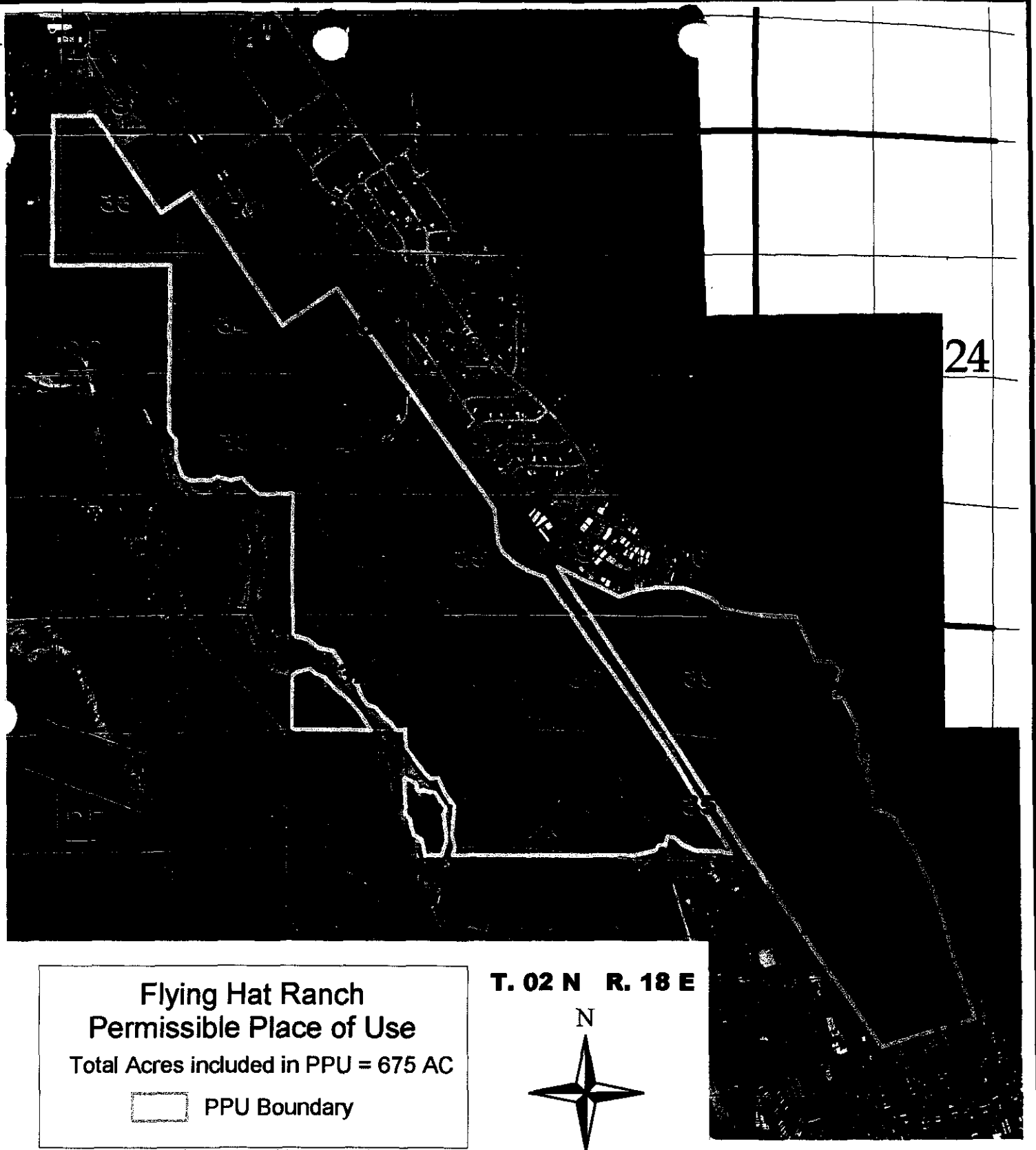
water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Portions of Rights 37-02713 and 37-07356 are limited to the irrigation of 28 acres within the NWSE of Section 26, T02N, R18E for the remainder of the 2002 irrigation season. For this allowance 28 acres shall remain un-irrigated during the 2002 irrigation season of the 596 acres allowed to be irrigated within the 675 acre permissible place of use established by transfer 69809.
5. The use of the portions of rights 37-02713 and 37-07356 as requested is limited to 0.02 cfs per acre (0.56 cfs total) at the field headgate for sprinkler irrigation of the 28 acres authorized by this approval.
6. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
8. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. This temporary change approval expires on 10/31/2002 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 17th day of July, 2002.



Allen Merritt, PE
Southern Region Manager



MICROFILMED

SEP 03 2003

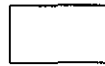
Brockway Engineering, PLLC 7 September, 2000

SEP 03 2003

Legend



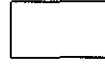
Flying Hat Ranch Boundary



Solid Set Lines



Wheel Lines



Center Pivots



Airport Irrigated
(Sold by Flying Hat Ranch)

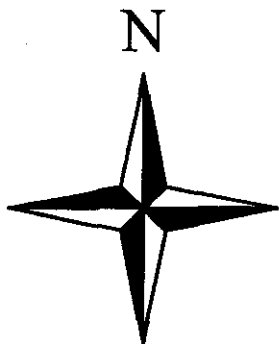


Airport Not Irrigated
(Sold by Flying Hat Ranch)

FSA Photo Date:
Spring 2000

T. 02 N R. 18 E

Flying Hat Place of Use Map



Total Irrigated Acres on Flying Hat Property= 557.1 Acres

Total Acres Owned by Airport = 40.0 Acres

Total Irrigated Airport Acres = 38.9 Acres

Total Irrigated Acres, Airport and Flying Hat Properties = 596.0 Acres

MICROFILMED

SEP 03 2003

Brockway Engineering, PLLC 8 September, 2000

SEP 03 2003

RECEIVED

JUL 19

Ident. No. TC-37-18STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

RECEIVED

TEMPORARY CHANGE APPLICATION

JUL 15 2002

Department of Water Resources
Southern Region

(To change point of diversion, place of use or purpose of use)

Name of Applicant Spencer F. Eccles - Flying Hat Ranch Phone (801) 350-5329Post Office Address P.O. Box 30006 Salt Lake City, UT 84125

A. PURPOSE OF TRANSFER

- 1.
- ☒
- Change point of diversion
- ☐
- Add diversion point(s)
- ☒
- Change place of use
-
- ☐
- Change purpose of use
- ☐
- Other

2. Describe the proposed change(s) and the reason(s) thereof
- Curtailement of WR # 37-08858 will leave acreage
-
- acreage without water for irrigation. The request will temporarily transfer
-
- 28 ac of groundwater to the property from the groundwater rights appurtenant to
-
- the Flying Hat Ranch. Both lands and water rights are owned by the applicant.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-02713</u>	<u>8/18/1965</u>	<u>0.47 cfs</u>	<u>Irrigation</u>	<u>8/01</u> to <u>11/01</u>
<u>37-07356</u>	<u>4/28/1974</u>	<u>0.13 cfs</u>	<u>Irrigation</u>	<u>8/01</u> to <u>11/01</u>
				to
				to

2. Total amount of water being transferred
- 0.60
- cubic feet per second and/or
- 112
- acre-feet per annum.

3. Source of water
- Groundwater
- tributary to
- N/A

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			NW	SE	26	2N	18E	Blaine	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	26														28			28.0

MICROFILMED

Total Acres 28.0

SEP 03 2003

MICROFILMED

SEP 03 2003

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right Applicant owns both properties and associated water rights.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
Flying Hat Ranch will continue to not irrigate at least 28 acres of land during the 2002 irrigation season.
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. Partially used on land not dried up within wxisting PPII.
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation of crop land.
No expansion of diversion rate or acres allowed
- f. Describe other water rights used for the same purpose.
Surface water rights currently cut by watermaster.
- g. Remarks: See attached letter

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Chris E. Brackley
(Signature of applicant)

Power of Attorney

FOR DEPARTMENT USE ONLY

Received by AD Date 7/15/02 Fee \$50.00
Receipted AD # 5025076 Recommend: X approve deny
Watermaster recommendation 7/17/02 OK per phone conv.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-37-18

And said application is hereby approved subject to the following limitations and conditions:

See Order dated 7/17/02

Witness my hand this 17th day of July, 2002.

R. D. Hertz
For the Director

MICROFILMED

SEP 03 2003

MICROFILMED

SEP 03 2003

Order No. 27438

Inst. # 446231

HAILE BLAINE, IDAHO

2000-1 03:40:00 No. of Pages 5

Record for: SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 15.00

Ex-Officio Recorder Deputy

index to: WTY/CICORP DEED

WARRANTY DEED

FOR VALUE RECEIVED and as relinquished property in an I.R.C. 1031 tax deferred exchange

WILLIAM C. MIRAMS and ELISABETH A. MIRAMS, CO-TRUSTEES OF THE MIRAMS FAMILY TRUST DATED MARCH 25, 1991

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

SPENCER F. ECCLES, a married man, as his sole and separate property

GRANTEE(s) whose address is: P.O. Box 3028, Salt Lake City, UT 84110

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Let Mirams
2000-1-2015

Subject To. Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 7, 2000

William C. Mirams Co-Trustee
WILLIAM C. MIRAMS, CO-TRUSTEE

Elisabeth A. Mirams Co-Trustee
ELISABETH A. MIRAMS, CO-TRUSTEE

Slate of Idaho

} ss.

County of Blaine

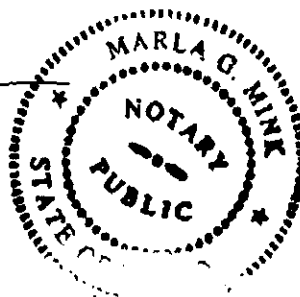
On this 12th day of December, in the year 2000, before me, the undersigned, personally appeared **WILLIAM C. MIRAMS and ELISABETH A. MIRAMS**, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the **MIRAMS FAMILY TRUST DATED MARCH 25, 1991**, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal

Marla G. Mink
Notary Public

Commission Expires: 12/01/2006

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LEGAL DESCRIPTION

Order No. 27438

~~EXHIBIT A~~

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26: A parcel of land lying in the NW1/4SE1/4 of said Section, being more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 26; thence

N. 00° 23' 48" W., 2,641.72 feet to a brass cap marking the East quarter corner of said Section 26; thence

N. 89° 56' 02" W., 1,323.81 feet to the Northeast corner of said NW1/4SE1/4, said point being the TRUE POINT OF BEGINNING; thence

S. 00° 19' 10" E., 553.53 feet to a 5/8" rebar on the South boundary of the Idaho Consolidated Mines Company Power Canal right of way; thence

Southwesterly along right of way, S. 25° 39' 03" W., 308.65 feet to a 5/8" rebar; thence

S. 19° 16' 54" E., 177.82 feet to a 5/8" rebar; thence

S. 01° 04' 09" E., 289.17 feet; thence

S. 43° 55' 55" E., 59.68 feet to a 5/8" rebar on the South boundary of said NW1/4SE1/4; thence leaving said right of way, S. 89° 36' 23" W., along the South boundary of said NW1/4SE1/4, 165.91 feet; thence

N. 59° 10' 20" W., 213.59 feet; thence

N. 84° 05' 40" W., 947.96 feet to a point on the West line of the NW1/4SE1/4; thence

N. 00° 19' 59" W., 1,127.41 feet to a 5/8" rebar marking the center 1/4 of said Section 26; thence

S. 89° 56' 02" E., 1,323.81 feet along the North line of said NW1/4SE1/4 to the TRUE POINT OF BEGINNING.

(TL 6847)

EXCEPTING THEREFROM the right of way of the Big Wood River and any and all mineral rights.

TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249321, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26: COMMENCING at an iron pin marking the East one-quarter corner of said Section 26; thence

West 255.2 feet, more or less to the Southwest Boundary of State Highway No. 20, which point is the REAL POINT OF BEGINNING; thence

West 828.2 feet, more or less, along the North Boundary of the South one-half Section 26, to a five-eighths inch rebar set by Chip Carlson, L.S. in August 1971 to define the Northeast Corner of the original McNeese parcel; thence

CONTINUED
Order No. 27438

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LEGAL DESCRIPTION, CONTINUED

South 27° 22' 39" W., 67.6 feet; thence
East 901.6 feet, more or less, along a line parallel with and sixty feet South of said
North Boundary of the South one-half, Section 28, to said Southwest Boundary of
State Highway No. 75; thence
North 35° 12' W., 73.4 feet along said Highway Boundary to the POINT OF
BEGINNING.

AND TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT
RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249322. BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26: A strip of land, in the NE1/4SE1/4 of said Section 26, 60 feet in width, being the
Northern 60 feet of the following described parcel of land:

BEGINNING at the Northwest corner of said NE1/4SE1/4, said point lying North 89°
58 1/2' W., 1,321.1 feet from the NE corner of the NE1/4SE1/4; thence
S. 0° 30 1/2' E. along the West boundary of said NE1/4SE1/4 for 465 feet more or
less to the North boundary of the Idaho Consolidated Mines Company Power Canal
right of way; thence
in a Northeasterly direction along said right of way for 510 feet more or less to the
North boundary of said NE1/4SE1/4; thence
N. 89° 58 1/2' W., along said North boundary for 240 feet more or less to the POINT
OF BEGINNING.

TOGETHER WITH WATER RIGHTS AS DESCRIBED ON THE ATTACHED EXHIBIT "A"

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SEP 03 2003

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SEP 03 2003

RECEIVED

JUL 19 2002

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR TEMPORARY CHANGE OF A)
WATER RIGHTS TC-37-19 AND)
TC-37-20 IN THE NAME OF)
FLYING HAT RANCH)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on July 15, 2002 Flying Hat Ranch ("applicant") submitted the attached Temporary Change Applications TC-37-19 and TC-37-20 ("applications") to the Department; and

WHEREAS, the Department has reviewed the applications and has determined the applications can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approvals causes injury to other water rights or constitutes an enlargement in use of the original rights;

ORDER

IT IS HEREBY ORDERED that the applications are **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). 37-02713 part and 37-07356 part (ground water) and right no(s). 37-481D part, 37-482J part, 37-11976 part, 37-11978 part, and 37-577BP part (Big Wood River) as described on the applications is authorized only at the point of diversion and place of use described on the applications or as otherwise approved in this order.
2. These temporary change approvals do not authorize construction of a new well as a new point of diversion or new diversion point from the Big Wood River.

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3. These temporary change approvals may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.
4. Portions of rights described above are limited to the irrigation of 5 acres within the 18 acre place of use described on the applications for the remainder of the 2002 irrigation season. For this allowance 5 acres shall remain un-irrigated from any source during the 2002 irrigation season of the 596 acres allowed to be irrigated within the 675 acre permissible place of use established by transfer 69809 and 68526.
5. The use of the portions of rights described above when combined is limited to 0.02 cfs per acre (0.10 cfs total for 5 acres) at the field headgate.
6. These temporary approvals do not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
7. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under these temporary change approvals.
8. These temporary change approvals do not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
9. These temporary change approvals expire on 10/31/2002 unless rescinded or extended by the director. Thereafter, the water rights shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approvals.

DATED this 17th day of July, 2002.



Allen Merritt, PE
Southern Region Manager

TC-37-19

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION**

**RECEIVED
JUL 19 2002**

Department of Water Resources

(To change point of diversion, place of use or purpose of use)

Name of Applicant Flying Hat Ranch c/o Spencer F. Eccles Phone (801) 350-5329

Post Office Address P.O. Box 30006, Salt Lake City, UT 84125

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☒ Other Split right temporarily

2. Describe the proposed change(s) and the reason(s) thereof To provide a supplemental irrigation supply to other lands having a short water supply due to drought.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>37-2713</u>	<u>8/18/1965</u>	<u>0.08/17.5</u>	<u>Irrigation</u>	<u>7/12</u> to <u>10/31</u>
<u>37-7356</u>	<u>4/28/1974</u>	<u>0.02/8.9</u>	<u>Irrigation</u>	<u>7/12</u> to <u>10/31</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 0.10 cubic feet per second and/or 17.5 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	NW	10	5N	17E	Blaine	Two existing Wells

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	17E	10		3	11		1			4									18*

*5.0 acres within this PPU

Total Acres 5.0*

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6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right Agreement attached
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
5.0 acres on the Flying Hat Ranch will not be irrigated from any source
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain Partially used on land not dried up within existing PPU
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation of crop land.
- f. Describe other water rights used for the same purpose.
37-481D, 37-482J, 37-483D, 37-11977, 37-11975, 37-11976, 37-917, 37-11978, 37-577BP
- g. Remarks: only surface rights 37-481D, 37-482J, 37-11967, 37-11978, and 37-577BP are active as of 7/12/02. This application is being made pursuant to the drought declaration for Blaine County dated 5/8/02.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Chris E. Brinkley
(Signature of applicant)

Power of Attorney

FOR DEPARTMENT USE ONLY

Received by AOR Date 7/15/02 Fee \$50.00
Receipted AB # 5025077 Recommend: X approve deny
Watermaster recommendation 7/17/02 OK per phone conv.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-37-19

And said application is hereby approved, subject to the following limitations and conditions:

See Order dated 7/17/02

Witness my hand this 17th day of July, 2002.

For the Director
MICROFILMED

SEP 03 2003

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SEP 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69809

This is to certify that: SPENCER F ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125
(801)350-5329

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
37-2713	AJC/License	08/18/1965	10.00 cfs	2086.0 af	596.0	714.0	GROUND WATER
37-7356	AJC/License	04/28/1974	2.68 cfs	1057.8 af	596.0	714.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

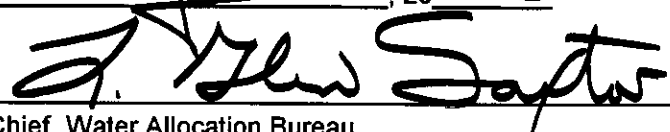
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-2713	NO	NO	YES	YES	NO	NO
37-7356	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-2713	37-2713	10 cfs	2086 af	596.0	675.0		N/A	N/A		N/A
37-7356	37-7356	2.68 cfs	1057.8 af	596.0	675.0		N/A	N/A		N/A
TOTALS		12.68 cfs	2086 af	596	675		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of July, 2002


Chief, Water Allocation Bureau

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JUL 18 2002

WATER RIGHT NO. 37-2713
As Modified by Transfer No. 69809

In accordance with the approval of Transfer No. 69809, Water Right No. 37-2713 is now described as follows.

Right Holder: SPENCER F ECCLES
 FLYING HAT RANCH
 PO BOX 30006
 SALT LAKE CITY UT 84125

Priority Date: 08/18/1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 09/01	10.00 CFS	2,086.0 AF
			10.00 CFS	2,086.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NESW	Sec. 23 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NWSW	Sec. 23 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec. 23 Twp 02N	Rge 18E	BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 18E 15															3.0		3.0
02N 18E 22	7.0	33.0		34.0									38.0				112.0
02N 18E 23							18.0		12.0	40.0	40.0	35.0		9.0	6.0		160.0
02N 18E 25						28.0	39.0	5.0	23.0	27.0	5.0	15.0					142.0
02N 18E 26	39.0	36.0	40.0	35.0	40.0	32.0	36.0										258.0

Total Acres: 675

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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JUL 16 2002

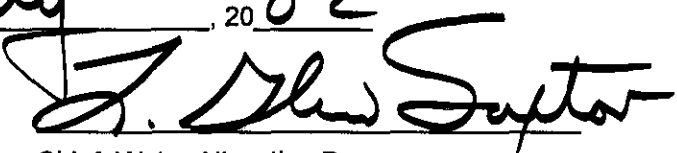
WATER RIGHT NO. 37-2713
As Modified by Transfer No. 69809

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The total instantaneous diversion of water from all points of diversion under Transfer 69809 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.
7. This right is limited to the irrigation of 596 acres within the place of use described above in a single irrigation season.
8. Rights 37-2713 and 37-7356 when combined shall not exceed the irrigation of 596 acres.
9. Rights 37-2713 and 37-7356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-2713 and 37-7356 used for conveyance losses is 0.76 cfs.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
14. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of July, 2002


Chief, Water Allocation Bureau

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MAY 15 2002

WATER RIGHT NO. 37-7356
As Modified by Transfer No. 69809

In accordance with the approval of Transfer No. 69809, Water Right No. 37-7356 is now described as follows.

Right Holder: SPENCER F ECCLES
 FLYING HAT RANCH
 PO BOX 30006
 SALT LAKE CITY UT 84125

Priority Date: 04/28/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	to 09/01	2.68 CFS	1,057.8 AF
			2.68 CFS	1,057.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWSE	Sec. 15 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NESW	Sec. 23 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	NWSW	Sec. 23 Twp 02N	Rge 18E	BLAINE County
GROUND WATER	SWSE	Sec. 23 Twp 02N	Rge 18E	BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 18E 15															3.0		3.0
02N 18E 22	7.0	33.0		34.0									38.0				112.0
02N 18E 23							18.0		12.0	40.0	40.0	35.0			9.0	6.0	160.0
02N 18E 25							28.0	39.0	5.0	23.0	27.0	5.0	15.0				142.0
02N 18E 26	39.0	36.0	40.0	35.0	40.0	32.0		36.0									258.0

Total Acres: 675

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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 JUL 15 2002

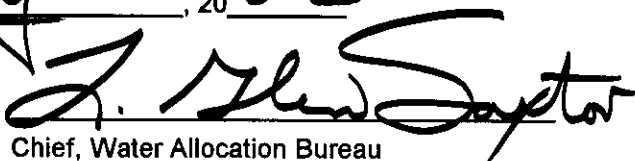
WATER RIGHT NO. 37-7356
As Modified by Transfer No. 69809

CONDITIONS OF APPROVAL

4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The total instantaneous diversion of water from all points of diversion under Transfer 69809 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.
7. This right is limited to the irrigation of 596 acres within the place of use described above in a single irrigation season.
8. Rights 37-2713 and 37-7356 when combined shall not exceed the irrigation of 596 acres.
9. Rights 37-2713 and 37-7356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-2713 and 37-7356 used for conveyance losses is 0.76 cfs.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 09/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
14. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of July, 2002


Chief, Water Allocation Bureau

MICROFILMED

JUL 16 2002

AUG 17 2001

BEFORE THE DEPARTMENT OF WATER RESOURCES Department of Water Resources

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION)
 FOR TEMPORARY CHANGE OF A)
 WATER RIGHT TC-37-14 IN THE)
 NAME OF FLYING HAT RANCH)
 _____)

ORDER AUTHORIZING
TEMPORARY CHANGE

WHEREAS, a drought emergency has been declared for Blaine County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on August 14, 2001 Flying Hat Ranch ("applicant") submitted the attached Temporary Change Application TC-37-14 ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right no(s). 37-02713 part and 37-07356 part is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.
3. This temporary change approval may only be used to provide a replacement water supply to lands ~~which~~ uses that normally have a full

NOT RECORDED
 OCT 13 2001

water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.

4. Portions of Rights 37-02713 and 37-07356 are limited to the irrigation of 28 acres within the NWSE of Section 26, T02N, R18E for the remainder of the 2001 irrigation season. For this allowance, 28 acres or more within the SWNW and NWSW of Section 23 and NENE and SENE of Section 22, T02N, R18E shall continue to not be irrigated from any source of water during the 2001 irrigation season.
5. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
6. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
7. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
8. This temporary change approval expires on 10/31/2001 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 14th day of August, 2001.



Allen Merritt, PE
Southern Region Manager

Form 42-222A
12/99

Ident. No. _____

TC-37-14

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG 14 2001

TEMPORARY CHANGE APPLICATION

Department of Water Resources
Southern Region

(To change point of diversion, place of use or purpose of use)

Name of Applicant Spencer E. Eccles - Flying Hat Ranch Phone 801-350-5339Post Office Address PO Box 30006 Salt Lake City, Utah 84145

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof Curtailment order under WR
37-08858 has left the acreage without water for irrigation. The request
will temporarily transfer 28 ac. of groundwater to the property from the
groundwater rights appurtenant to the Flying Hat Ranch. Both lands
and water rights are owned by the applicant.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
<u>37-02713</u>	<u>8/15/1965</u>	<u>0.42 cfs</u>	<u>Irrigation</u>	<u>8/01</u>	to <u>11/01</u>
<u>37-07356</u>	<u>4/25/1974</u>	<u>0.13 cfs</u>	<u>Irrigation</u>	<u>8/01</u>	to <u>11/01</u>
					to
					to

2. Total amount of water being transferred 0.60 cubic feet per second and/or 112 acre-feet per annum.

3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

Ident No.	Lot	%	%	%	Sec	Twp	Rge	County	Local name for diversion
					<u>26</u>	<u>2N</u>	<u>18E</u>	<u>Blaine</u>	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>2N</u>	<u>18E</u>	<u>26</u>																<u>28</u>	<u>28.0</u>

Total Acres 28.0

AUG 14 '01 09:41

MICROFILMED
OCT 19 2001

PAGE 02

6. General Information:

- a. Who owns the water right to be changed? Applicant
- b. Describe the arrangement allowing use of the right Applicant owns both properties and associated Water Rights.
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application: Flying Hot Ranch will continue to not irrigate at least 25 acres of land during the 2001 Irrigation year.
- d. Has the water right sought to be transferred been used this year? Yes If yes, explain. Partially used on land not dried up within existing PPU.
- e. Absent the changes, how would the right be used for the remainder of the year? Irrigation of crop land. No expansion of diversion rate or acres allowed.
- f. Describe other water rights used for the same purpose. Surface water rights currently cut by watermaster.
- g. Remarks: See attached letter.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

St Eccles
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by AD Date 8/14/01 Fee \$50.00
 Receipt # 5024249 AD Recommend: ☒ approve ☐ deny
 Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. TC-37-14

And said application is hereby approved subject to the following limitations and conditions:

See attached Order Dated 8/14/01

Witness my hand this 19th day of August 2001.

For the Director

MICROFILMED

OCT 19 2001

Proposed Temporary Transfer Flying Hat Ranch - 2001

Land not irrigated by Flying Hat
Ranch in 2001 irrigation season.
Approx acreage = 48 ac

Flying Hat
Ranch PU

Land to be irrigated with
groundwater from temporary
transfer. Area = 28 ac (approx)

PD - Well

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

This is to certify that: **FLYING HAT RANCH**
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-02713 :			
IRRIGATION	05/01 to 09/01	10.00 CFS	2086.0 AF
Priority: 08/18/1965			
Right No. 37-07356 :			
IRRIGATION	05/01 to 09/01	2.68 CFS	1057.8 AF
Priority: 04/28/1974			
	TOTAL:	* 12.68 CFS	2086.0 AF *

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 15, Township 02N, Range 18E
NESW , Sec. 23, Township 02N, Range 18E
SWSE , Sec. 23, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	18E	15	SWSE 16			16
		22	NENE 23	NWNE 40	SENE 39	
			NESE 35			137
		23	NWNW 2	SWNW 29	NESW 17	
			NWSW 40	SWSW 40	SESW 38	
			SWSE 12	SESE 9		187
		25	NWNW 20	SWNW 39	SENW 4	
			NESW 22	NWSW 28	SWSW 4	
			SESW 15			132
		26	NENE 39	NWNE 36	SWNE 40	
			SENE 32	NENW 40	NWNW 25	
			SENW 30			242
						714 **

Total number of acres irrigated:

MICROFILMED

SEP 12 2000

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The well previously used under Rights 37-02713 and 37-07356 shall be abandoned in a manner which complies with Department well abandonment rules.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5749 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.
- * 8. Rights 37-02713 and 37-07356 when combined with all other rights shall provide no more than 0.02 cfs per acre at the field headgate for sprinkler irrigation of the land described above. When water is applied through a sprinkler irrigation system, the portion of Rights 37-02713 and 37-07356 used for conveyance losses is 0.76 cfs.
- ** 9. Rights 37-02713 and 37-07356 shall not exceed irrigation of 596.0 acres within the place of use described above in a single irrigation season.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

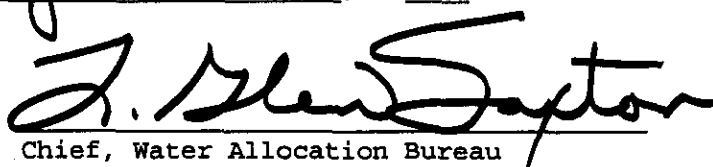
SEP 12 2000

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 17th day of August, 2000.


Chief, Water Allocation Bureau

MICROFILMED

SEP 12 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5749
WATER RIGHT NO(S) . 37-02713/37-07356

This is to certify that: **FLYING HAT RANCH**
SPENCER F ECCLES
PO BOX 30006
SALT LAKE CITY UT 84125

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-02713 :			
IRRIGATION	05/01 to 09/01	10.00 CFS	2086.0 AF
Priority: 08/18/1965			
Right No. 37-07356 :			
IRRIGATION	05/15 to 10/31	2.68 CFS	1057.8 AF
Priority: 04/28/1974			
	TOTAL:	* 12.68 CFS	2086.0 AF *

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 15, Township 02N, Range 18E
NESW , Sec. 23, Township 02N, Range 18E
SWSE , Sec. 23, Township 02N, Range 18E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	18E	15	SWSE 16			16
		22	NENE 23	NWNE 40	SENE 39	
			NESE 35			137
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			SESW 15			132
		26	NENE 39	NWNE 36	SWNE 40	
			SENE 32	NENW 40	NWNW 25	
			SENW 30			242
Total number of acres irrigated:						714 **

MICROFILMED

SEP 12 2000

TRANSFER NO. 5749
WATER RIGHT NO(S) . 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The well previously used under Rights 37-02713 and 37-07356 shall be abandoned in a manner which complies with Department well abandonment rules.
3. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5749 shall not exceed 12.68 cfs, nor a total combined annual volume of 2086.0 af.
- * 8. The portion of Rights 37-02713 and 37-07356 used for conveyance losses in an open ditch system is 0.76 cfs.
- ** 9. Rights 37-02713 and 37-07356 shall not exceed irrigation of 596.0 acres within the place of use described above in a single irrigation season.
10. The period of use for the irrigation described in this approval may be extended to a beginning date of 4/15 and an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 5/1 and after 9/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
11. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

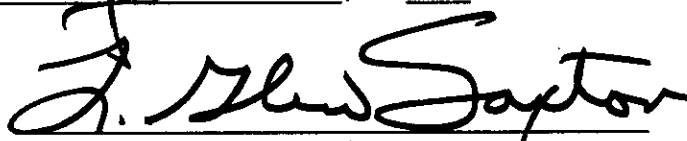
SEP 12 2000

TRANSFER NO. 5749
WATER RIGHT NO(S). 37-02713/37-07356

CONDITIONS OF APPROVAL AND REMARKS

12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 27th day of July, 2000.


Chief, Water Allocation Bureau

MICROFILMED

SEP 12 2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7356 Priority April 28, 1974 Amount 2.68 cfs

THIS IS TO CERTIFY, that SPENCER F. ECCLES
of Salt Lake City, Utah, has complied with the terms and conditions of Permit
No. 37-7356 issued pursuant to Application for Permit dated April 23, 1974,
and has submitted proof to the Department of Water Resources on June 6, 1975 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 12.68 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>May 1</u> to <u>Sept. 1</u>	at <u>2.68</u> cfs and	<u>653 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>*3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 2.68 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
653 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23 -and-
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15, Twp. 2 N, Rge. 18 E, B. M. in the County of Blaine

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2 N	18 E	15															17	6	23
		22	33	40		40								37					150
		23					2	22		11	40	37	38				7	6	158
		25					40	40											80
		26	38	33	39	18	39	40		40									247

Total number of acres irrigated 658

* Subject to the condition that the maximum volume per year shall not exceed
3.0 acre feet per acre when combined with License No. 32491/37-2713.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
January, 19 76.

Director

Identification No. _____

Application No. 37-7356

RECEIVED

APR 25 1974

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

LICENSE ISSUED FOR 2.68

APPLICATION FOR PERMIT

Department of Water Administration
Southern District Office

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Spencer F. Eccles
post office address P. O. Box 390, Salt Lake City, Utah 98110
2. Source of water supply subterranean which is a tributary of _____
3. a. Location of point of diversion is Well #1SW SE $\frac{1}{4}$ of Section 23 Township 2N.
Well #2SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 2N.
Range 18E. B.M. Blaine County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 2.68^{cfs} for irrigation purpose from May 1 to Sept. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 2.68 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 wells and pumps already in existence

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1^{yr} years.
b. Estimated construction cost is \$ 0.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____, _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

37 7356

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15															17	6	23
		22	33	40		40									37				150
		23						2	22		11	40	37	33			7	6	158
		25						40	40										80
		26	38	33	39	18	39	40		40									247

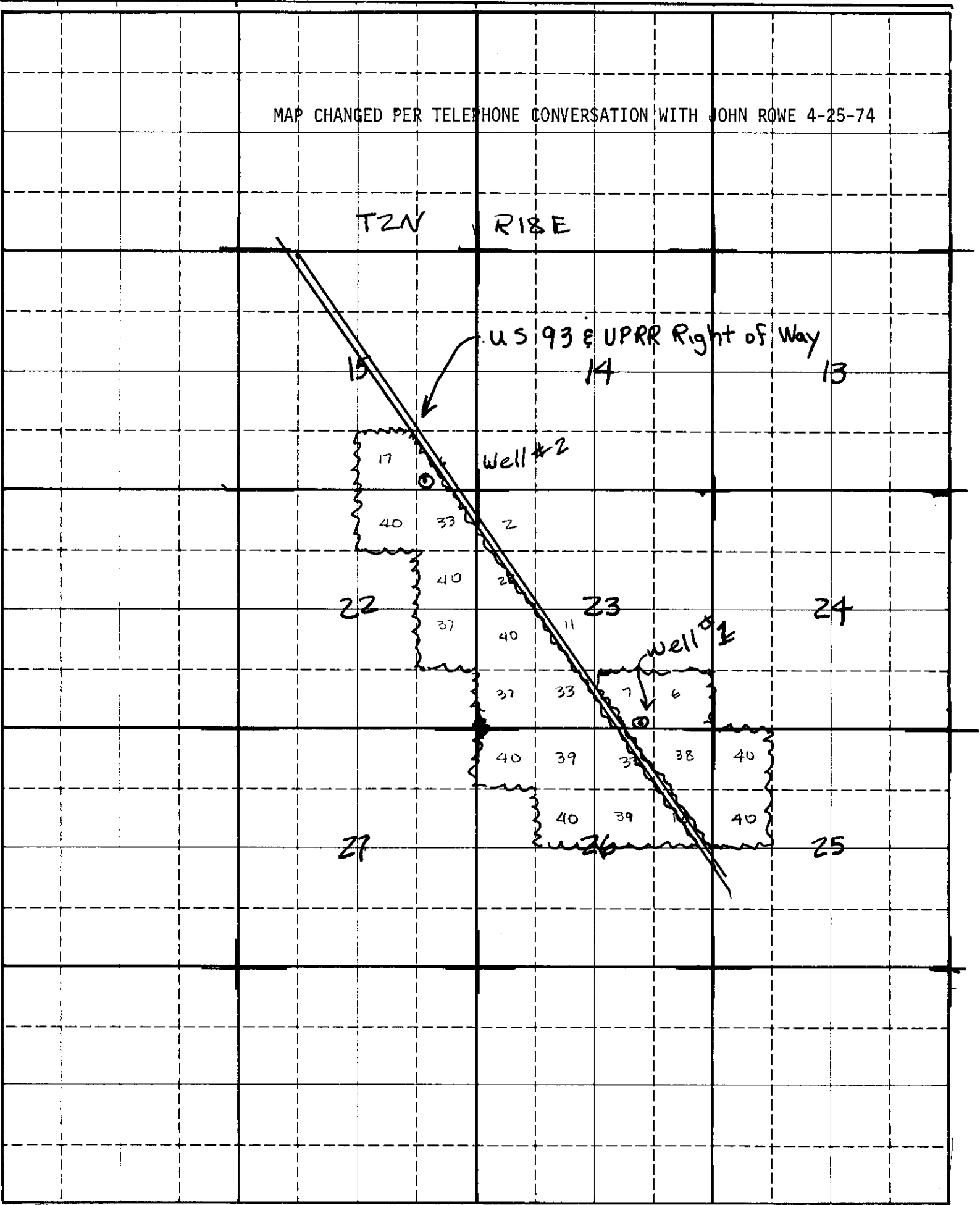
Total number of acres to be irrigated 658

c. Describe any other water rights used for the same purposes as described above water license
No. 32491/37-2713 issued for 10 cfs.

9. a. Who owns the property at the point of diversion applicant
b. Who owns the land to be irrigated or place of use applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N.A.

10. Remarks This application is made to supplement the licensed quantity previously granted to applicant's predecessor in title. A field examination by the Dept. of Water Administration upon completion of the works revealed that the works were actually producing 12.684 cfs, the application was only for 10.0 cfs. Applicant has and will continue to put the entire output of both wells to their full beneficial use, and therefore requests a supplemental permit.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Spencer F. Beeler
(Applicant)

Proposed Priority 4-23-1974

Received by ef Date 4-23-74 Time 7:30A

Preliminary check by dr Fee \$ 45.00

Receipted by ef Date 4-23-74 Leit #14377

RM Publication prepared by LT Date 4-26-74

Published in Wood River Journal

Publication dates 5-2 & 5-9-74

Publication approved LT Date 5-15-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by dr DE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7356, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 75.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 28 day of May, 19 74.

R. Karl Hjor
Director

37 7356

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

- (1) Application No. 37-7356 Spencer F Eccles
- (2) RWA 4-25-74
☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee
- (3) RWA 4-25-74 In form to receipt
Send Copies to:
☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management
- (4) ☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
- (5) RWA 4-25-74 In form for advertising
- (6) Located within Water District No. _____
- (7) Critical groundwater area: yes _____ no ☒
- (8) Groundwater levels:
☐ Decline (comment) _____
☒ Stable (comment) _____
☐ Increasing (comment) _____
- (9) Comments: _____
- (10) LT 5-15-74 Affidavit of Publication received (date) 5-15-74
- (11) Final date for protests 5-20-74
Protests received: yes _____ no ☒
- (12) Date and Place of hearing _____
Decision reached at hearing _____
- (13) All requested information received from agencies or applicant
yes _____ no _____
- (14) Action recommended:
☒ Approve Priority 4-23-74
☐ Deny Reason for Reduction _____
☒ Measuring device required
☐ See attached sheet for additional conditions of approval
☐ No additional conditions for approval
- (15) District Southern By Bob H. [Signature] Date 5-20-74

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Blaine } SS.

MAY 10 1974

Department of Water Administration
Southern District Office

GORDON O. GLASMANN

being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 2nd day of May, 1974, and the date of the last publication was on the 9th day of May, 1974.

Subscribed and sworn to before me this 14th

day of May, 1974.
(SEAL)

Roberta J. Jorgensen
NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>45</u>	
Number of Insertions	<u>2</u>	
Lines tabular at		315c
<u>45</u> Lines straight at		21c
<u>45</u> Subsequent lines at		15c
TOTAL COST	<u>16.20</u>	

COPY OF NOTICE

(Paste Here)

*Notice of Application for
Water Permit # 37-7356*

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

*Dept of Water Administration
1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301*

Notice is hereby given that Spencer F. Ertter, P.O. Box 300, Salt Lake City, Utah has on 4-23-74 submitted Application No. 37-7356 for a permit to appropriate 2.00 cubic feet per second of water from subterranean by means of 2 wells and pumps in existence within the SW 1/4 SE 1/4, Sec. 23, SE 1/4 SE 1/4, Sec. 15, T 2N, R 18E, B.M., Blaine Co. to be used from May 1 to Sept. 1 for irrigation of 600 acres within the SW 1/4 SE 1/4, Sec. 15, N 1/4 NE 1/4, Sec. 23, NE 1/4 SE 1/4, Sec. 15, T 2N, R 18E, B.M., Blaine Co.

81 If issued, this permit will
81 be subject to all prior water
81 rights. Requests against the
81 granting of the permit must
be filed with the Idaho
Department of Water Ad-
ministration, 1041 Blue
Lakes Blvd. North, Twin
Falls, Idaho 83301 on or
before May 20, 1974.

R. KEITH HIGGINSON
Director

Published: Wood River
Journal, Blaine County, May
2 and 9, 1974.

37 7356



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

RECEIVED
EARL J. DREHER
Director

August 25, 2003

AUG 26 2003

Department of Water Resources

JASON C. HELMS, EIT
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

C. E. BROCKWAY P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

Re: Temporary Change Application No. TC-37-32

Dear Mr. Brockway:

The Temporary Change Application on behalf of the Flying Hat Ranch as referenced above has been GRANTED.

Please be advised that the enclosed ORDER AUTHORIZING TEMPORARY CHANGE contains special conditions of approval.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

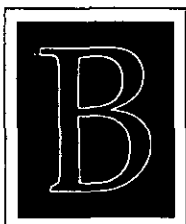
Enclosure(s)

cc:
SPENCER F. ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125

LEE PETERSON WATERMASTER
WATER DISTRICT # 37
PO BOX T
SHOSHONE ID 83352

MICROFILMED

SEP 03 2003



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

August 21, 2003

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street – Suite 200
Twin Falls, ID 83301-3380

Re: Flying Hat Ranch – Temporary Change Application

Dear Allen:

Enclosed is an application for temporary change of a water right submitted on behalf of Spencer F. Eccles, owner of the Flying Hat Ranch.

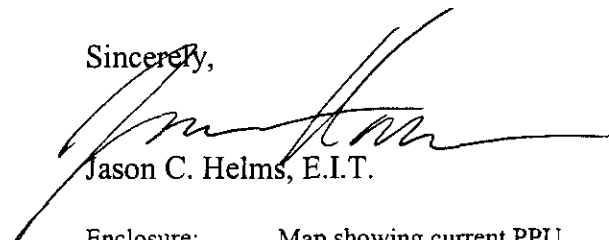
The application requests a transfer of 0.60 cfs of groundwater appurtenant to the Flying Hat Ranch PPU to a parcel of land known as the Mirams property which borders the southern boundary of the ranch. Irrigation under the right appurtenant to the "Mirams" property (37-0885B) has been curtailed due to drought conditions this season.

To prevent an expansion of water use under the two groundwater rights appurtenant to the Flying Hat Ranch PPU, a minimum of 28 acres will not be irrigated during the remainder of the 2003 irrigation season. The enclosed maps show the PPU acres and the location of the proposed transfer for the remaining 2003 season.

Warranty deeds and ownership information on the water rights as well as the Flying Hat Ranch are on file in your office from the previous temporary transfers. I have also included a limited power of attorney with this information which will allow us to act on behalf of Mr. Eccles for this temporary transfer.

Please review the enclosed application and process it at your earliest convenience. If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,


Jason C. Helms, E.I.T.

Enclosure: Map showing current PPU
Temporary Change Application
Limited Power of Attorney

RECEIVED
No \$
AUG 22 2003

Department of Water Resources
Southern Region
RECEIVED

AUG 26 2003

Department of Water Resources

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED

SEP 3 3 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2002

CHARLES E. BROCKWAY P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

Re: Temporary Change Application Nos. TC-37-18, TC-37-19, & TC-37-20 (Flying Hat Ranch)

Dear Dr. Brockway:

The Temporary Change Applications filed on behalf of Flying Hat Ranch as referenced above have been **Granted**.

Please be advised that the enclosed ORDERS AUTHORIZING TEMPORARY CHANGE contains special conditions of approval.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)

cc:
Spencer F. Eccles
Lee Peterson, Watermaster

MICROFILMED

SEP 03 2003
MICROFILMED

SEP 03 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2002

LEE PETERSON WATERMASTER
WATER DISTRICT #37
PO BOX T
SHOSHONE ID 83352

Re: Temporary Change Application Nos. TC-37-18, TC-37-19, TC-37-20 (Flying Hat Ranch)

Dear Mr. Peterson:

The Temporary Change Applications filed in the name of Flying Hat Ranch as referenced above have been granted.

Please find a copy of the ORDERS AUTHORIZING TEMPORARY CHANGE enclosed.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

Enclosure(s)

MICROFILMED
SEP 03 2003

MICROFILMED
SEP 03 2003

MEMORANDUM

TO: **FILE** 37-07356
FROM: **VAULT**
RE: **TRANSFER #** 69809
DATE: 6-11-02

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 37-02713

MICROFILMED

JUL 16 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 15, 2001

JEFFREY S RAU P E
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

Re: Temporary Change Application No. TC-37-14

Dear Mr. Rau:

The Temporary Change Application on behalf of The Flying Hat Ranch as referenced above has been granted.

Please be advised that the enclosed ORDER AUTHORIZING TEMPORARY CHANGE contains special conditions of approval.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen D. Merritt, P.E.
Southern Region Manager

CC:
SPENCER F ECCLES
FLYING HAT RANCH
PO BOX 30006
SALT LAKE CITY UT 84125

Enclosure(s)

MICROFILMED

OCT 19 2001

Order No. 27438

Post-It® Fax Note	7671	Date	# of pages 11
To	Norm Young	From	Allen Merritt
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

TOWNSHIP 2 NORTH, RANGE

SECTION 26: A parcel of land described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 26; thence
 N. 00° 23' 48" W., 2,641.72 feet to a brass cap marking the East quarter corner of said Section 26; thence
 N. 89° 56' 02" W., 1,323.81 feet to the Northeast corner of said NW1/4SE1/4, same point being the TRUE POINT OF BEGINNING; thence
 S. 00° 19' 10" E., 653.55 feet to a 5/8" rebar on the South boundary of the Idaho Consolidated Mines Company Power Canal right of way; thence
 Southwesterly along right of way, S. 25° 39' 03" W., 308.65 feet to a 5/8" rebar; thence
 S. 19° 16' 54" E., 177.82 feet to a 5/8" rebar; thence
 S. 01° 04' 09" E., 289.17 feet; thence
 S. 43° 55' 55" E., 59.68 feet to a 5/8" rebar on the South boundary of said NW1/4SE1/4; thence leaving said right of way, S. 89° 36' 23" W., along the South boundary of said NW1/4SE1/4, 165.91 feet; thence
 N. 59° 10' 20" W., 213.59 feet; thence
 N. 84° 05' 40" W., 947.96 feet to a point on the West line of the NW1/4SE1/4; thence
 N. 00° 19' 59" W., 1,127.41 feet to a 5/8" rebar marking the center 1/4 of said Section 26; thence
 S. 89° 56' 02" E., 1,323.81 feet along the North line of said NW1/4SE1/4 to the TRUE POINT OF BEGINNING.
 (TL 6847)

EXCEPTING THEREFROM the right of way of the Big Wood River and any and all mineral rights.

TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249321, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26: COMMENCING at an iron pin marking the East one-quarter corner of said Section 26; thence
 West 255.2 feet, more or less to the Southwest Boundary of State Highway No. 10, which point is the REAL POINT OF BEGINNING; thence
 West 828.2 feet, more or less, along the North Boundary of the South one-half, said Section 26, to a five-eighths inch rebar set by Chip Carlson, L.S. in August 1976, to define the Northeast Corner of the original McNeese parcel; thence

CONTINUED
 Order No. 27438

MICROFILMED
 OCT 13 2001

LEGAL DESCRIPTION, CONTINUED

South 27° 22' 39" W., 67.6 feet; thence
East 901.6 feet, more or less, along a line parallel with and sixty feet South of said
North Boundary of the South one-half, Section 26, to said Southwest Boundary of
State Highway No. 75; thence
North 35° 12' W., 73.4 feet along said Highway Boundary to the POINT OF
BEGINNING.

AND TOGETHER WITH A 60' (SIXTY FOOT) WIDE EASEMENT GRANTED IN A DEED OF EASEMENT
RECORDED MARCH 5, 1984, AS INSTRUMENT NO. 249322, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 26: A strip of land, in the NE1/4SE1/4 of said Section 26, 60 feet in width, being the
Northern 60 feet of the following described parcel of land:

BEGINNING at the Northwest corner of said NE1/4SE1/4, said point lying North 89°
58 1/2' W., 1,321.1 feet from the NE corner of the NE1/4SE1/4; thence
S. 0° 30 1/2' E. along the West boundary of said NE1/4SE1/4 for 465 feet more or
less to the North boundary of the Idaho Consolidated Mines Company Power Canal
right of way; thence
in a Northeasterly direction along said right of way for 510 feet more or less to the
North boundary of said NE1/4SE1/4; thence
N. 89° 58 1/2' W., along said North boundary for 240 feet more or less to the POINT
OF BEGINNING.

TOGETHER WITH WATER RIGHTS AS DESCRIBED ON THE ATTACHED EXHIBIT "A"

sum
FM

MICROFILMED
OCT 13 2001

EXHIBIT "A"

page 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

AMENDED

AMENDED

TRANSFER NO. 37-80885
WATER RIGHT NO. 37-80885

MAY 11 9 1995

This is to certify that: W C MIRAMS
101 BUCKWHEAT LANE
BOX 961
KETCHUM ID 83340Department of Water Resources
Southern Region

MAY 05 1995

Department of Water Resources
Eastern District Office

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.86 CFS	98.0 AF

SOURCE

GROUNDWATER

Priority: 07/01/1883

LOCATION OF POINT(S) OF DIVERSION:NWSE, Sec. 26, Township 02N, Range 18E
BLAINE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	18E	26	NWSE 28			28
Total number of acres irrigated:						28

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
3. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afu per acre for the lands above.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

OCT-27-00 FRI 12:35 PM

208 736 0041

P. 3

MICROFILMED

OCT 19 2001

37-80885 B

PAGE 2

page 2

AMENDED

AMENDED

TRANSFER NO. 4480
WATER RIGHT NO. 37-00885B

CONDITIONS/REMARKS:

6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Use of water under Right No. 37-00885B is limited to those times when water is available to fill the right at the original point of diversion from the Big Wood River within the NWSE, S26, T02N, R18E, as determined by the watermaster.
9. The portion of Right No. 37-00885B described as 0.77 cfs and 7.0 acres has been relinquished through approval of Transfer No. 4480.

Dated this 28th day ofApril1995

[Signature]
Chief, Water Allow. Bureau

OCT-27-00 FRI 12:36 PM

208 736 0041

** TOTAL PAGE.04 **

P. 4

MICROFILMED

OCT 15 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Aug. 3, 2001

Spencer Eccles
PO Box 30006
Salt Lake City, UT 84130

Re: Curtailment of Ground Water Diversion, Water Right No. 37-0885

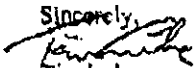
Dear Water User,

The records of the Idaho Department of Water Resources (IDWR) show that you are the owner of the above referenced water right(s) subject to an approved transfer or permit authorizing diversion of ground water that is contingent upon the availability of surface water from the Big Wood River (or tributaries to the Big Wood River). Specifically, the above water right(s) includes a condition that limits the diversion of ground water to those times water is available for diversion under the right(s) and priority from the original source, Big Wood River (or tributaries). The right is also subject to regulation and control by the watermaster of State Water District No. 37, Big Wood River and tributaries.

The Water District 37 watermaster has notified IDWR that the priority date of the above referenced water right(s) has been cut and is no longer available for delivery or mitigation purposes. Many water rights have been cut or cut earlier than normal due to drought conditions that have existed in your area this year. Currently, all water rights with a priority date after March 24, 1883 are completely cut. Rights with priority of March 24, 1883 are currently cut back to 50 percent.

The purpose of this letter is to notify you that you must immediately cease diversion of ground water and use under the above referenced water right(s) if such right(s) has a priority date after March 24, 1883. If your right is a priority of March 24, 1883 then you must reduce your diversion to 50 percent of the authorized rate. The water district watermaster will check for use under the water right(s) to insure that there is compliance with this notice as well as terms and conditions of the water right(s). The watermaster has authority to shut off any use that can not be delivered. Failure to comply with this notice and the conditions of the water rights or any further diversion of water made after the use is regulated may result in the issuance of a Notice of Violation and Cease and Desist Order from IDWR. Such orders may carry certain civil penalties. The watermaster will notify you if the priority date under your right(s) is deliverable again this year and if you can resume use of water from your ground water diversion.

IDWR and Water District 37 will appreciate your attention and cooperation in this matter given the existing drought conditions and less than normal water supplies that challenge all of us this year. Questions concerning this matter may be directed to Lee Peterson, Water District 37 Watermaster at 208-886-2451.

Sincerely,

Tim Luke
Water Allocations

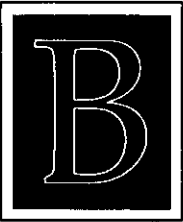
Cc: Lee Peterson, Watermaster
IDWR Southern Region

Received

AUG 07 2001

Spencer R. Eccles

Copy: 4/1/01 Peterson
Jesse Blum
MICROFILMED
OCT 19 2001



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

August 14, 2001

Mr. Allen Merritt
Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore Street – Suite 200
Twin Falls, ID 83301-3380

RECEIVED

AUG 14 2001

Department of Water Resources
Southern Region

Re: Flying Hat Ranch – Temporary Change Application

Dear Allen:

Enclosed is an application for temporary change of a water right submitted on behalf of Spencer F. Eccles of the Flying Hat Ranch. The proposed change would allow for groundwater irrigation on 28 acres on a portion of land purchased by Mr. Eccles last year. The 28 acres is not part of the permissible place of use (PPU) established in August 2000.

The application requests a transfer of 0.60 cfs of groundwater appurtenant to the 596 acre Flying Hat Ranch PPU to a parcel of land known as the Mirams property which borders the southern boundary of the ranch. Irrigation under the right appurtenant to the "Mirams" property (37-0885B) was ceased upon receipt of the curtailment of groundwater diversion notice mailed to our client on August 3, 2001.

The proposed temporary transfer would remove 28 acres of groundwater from the PPU and transfer it into the well and system on the Mirams property for the remainder of this irrigation season. To prevent an expansion of water use under the two groundwater rights appurtenant to the Flying Hat Ranch PPU, a minimum of 28 acres will not be irrigated and dried up for the 2001 irrigation season. In anticipation of the drought condition of 2001, the Flying Hat Ranch did not irrigate portions of their property. A field directly north of the ranch house and directly south of the airstrip has not been irrigated during the 2001 season. This field is approximately 48 acres which is more than enough to satisfy proof of no expansion under this temporary transfer. A map showing the field dried up for this season is included with this application.

As you will note in your review of this information, the water right 37-0885B is apparently still in the name of Mr. Mirams. I have included a copy of the deed of sale to Mr. Eccles which includes information on the water right. Warranty deeds and ownership information on the other water rights as well as the Flying Hat Ranch is on file in your office from the previous transfers. I have also included a limited power of attorney form with this information which will allow us to act of behalf of Mr. Eccles on these rights.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED

SEP 13 2001

I have spoken with Mr. Lee Peterson concerning this proposed transfer and he has indicated that he does not oppose this action and would likely not have jurisdiction over the groundwater transfer. Due to the drought conditions, this portion of land needs water quickly. Please review the enclosed application and process it at your earliest convenience. If you have any questions or concerns, please don't hesitate to contact me. Thank you and have a great day.

Sincerely,



Jeffrey S. Rau, P.E.

Enclosure: Proposed Transfer - Map
 Temporary Change Application
 Limited Power of Attorney Form
 Deed of Sale - Mirams Property to Eccles

MICROFILMED
OCT 19 2001

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN BY THESE PRESENT:

I, Spencer F. Eccles - Flying Hat Ranch, hereby nominate and appoint
Jeffrey S. Rau - Brockway Engineering as my attorney-in-fact with full
 authority to act for and on my behalf to undertake any and all acts or matters pertaining to water
 right transfers before the Idaho Department of Water Resources for the following water right
 transactions:

37-0271337-0735637-08858

in Blaine County, Idaho. Additionally, I hereby ratify and confirm any
 and all such acts on matters as contemplated herein.

My agent is hereby authorizing to sign, seal and deliver, as my act in deed, those said instruments
 of writing that may be necessary or proper to carry into execution and effect the applications, and
 transfers above-mentioned. Further, I hereby declare that each and every application, transfer,
 agreement, receipt, or payment which shall be by my said agent given, made or done for the
 aforesaid purposes shall be as good, valid, and effectual as if they had been signed, sealed, and
 delivered by me in my own proper person; and I hereby undertake at all times to ratify whatsoever
 my said agent shall lawfully do or cause to be done in or concerning the said premises by virtue of
 these presents. This Limited Power of Attorney will become void upon approval, denial or
 withdrawal of the above referenced applications.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal

Dated this 14 day of August 2001.Spencer F. Eccles

Signature

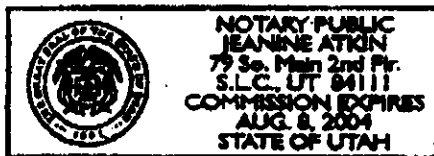
State of Idaho)

ss.

County of _____)

On this 14th Day of August, 2001, before me, a Notary Public in
 and for said County and State, personally appeared Spencer F. Eccles
 known or identified to me to be the individual whose name and subscription to the within
 instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official
 seal the day and year in this certificate first above written.

S
E
A
LJeanine Atkin
Notary Public

In and for said State and County

8-8-2004
My Commission Expires

MICROFILMED
 AUG 14 '01 09:42 OCT 13 2001

Instrument # 446231

HAILEY, BLAINE, IDAHO

2000-12-21

03:40:00 No. of Pages: 5

Recorded for : SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: WTYQCICORP DEED

Order No. 27438

WARRANTY DEED

FOR VALUE RECEIVED and as relinquished property in an I.R.C. 1031 tax deferred exchange

WILLIAM C. MIRAMS and ELISABETH A. MIRAMS, CO-TRUSTEES OF THE MIRAMS FAMILY TRUST DATED MARCH 25, 1991

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

SPENCER F. ECCLES,, a married man, as his sole and separate property

GRANTEE(s) whose address is: P.O. Box 3028, Salt Lake City, UT 84110

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

LHA MIRAMS
2000-2001

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 7, 2000

William C. Mirams Co-Trustee
WILLIAM C. MIRAMS, CO-TRUSTEE

Elisabeth A. Mirams Co-Trustee
ELISABETH A. MIRAMS, CO-TRUSTEE

State of Idaho

}
}ss.

County of Blaine

}

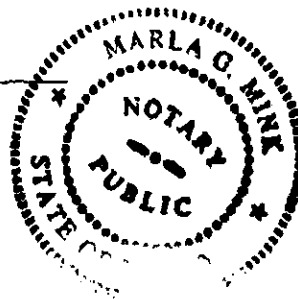
On this 12th day of December, in the year 2000, before me, the undersigned, personally appeared WILLIAM C. MIRAMS and ELISABETH A. MIRAMS, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as trustee(s) of the MIRAMS FAMILY TRUST DATED MARCH 25, 1991, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

Notary Public

Commission Expires: 12/01/2006

J:\escrow\formal\wgt



MICROFILMED
OCT 18 2001

MEMORANDUM

TO: FILE 37-7356

FROM: VAULT

RE: TRANSFER # 5749

DATE: 6-5-00

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 37-2713

**MICROFILMED
SEP 12 2000**

January 27, 1976

Re: Permit No. 37-7356

Spencer F. Eccles
Box 390
Salt Lake City, UT 98110

Dear Mr. Eccles:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

RECEIVED

JUN 13 1975

1. Name of permit holder Spencer F. Eccles
 Post office address Box 390 Salt Lake City, UT 98110
 Person to contact _____
 Phone _____
 Department of Water Resources
 Southern District Office

2. Source of water supply: Groundwater ☒ Surface water ☐
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount 2.68 c.f.s. for Irrigation
 _____ AF/Annum (nature of use)

Period of Use: from May 1 to Sept. 1
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 37-7356
 Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 2.68 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Well #2 Township 2N N/S, Range 18E E/W, B.M., Section 15, Subdivision SE 1/4 SE 1/4, Blaine

Well #1 Township 2N N/S, Range 18E E/W, B.M., Section 23, Subdivision SW 1/4 SE 1/4, Blaine

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
 County

Other Points of Diversions: _____

Description of diverting works: Well NO. 1 - 50 hp, 12" casing, 145' deep, Well No. 2 - 40 hp, 12" casing, 125' deep.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	15														17	6		23
		22	33	40		40									37				150
		23					2	22		11	40	37	33			7	6		158
		25					40	40											80
		26	38	33	39	18	39	40		40									247

TOTAL ACREAGE 658

T
2
N

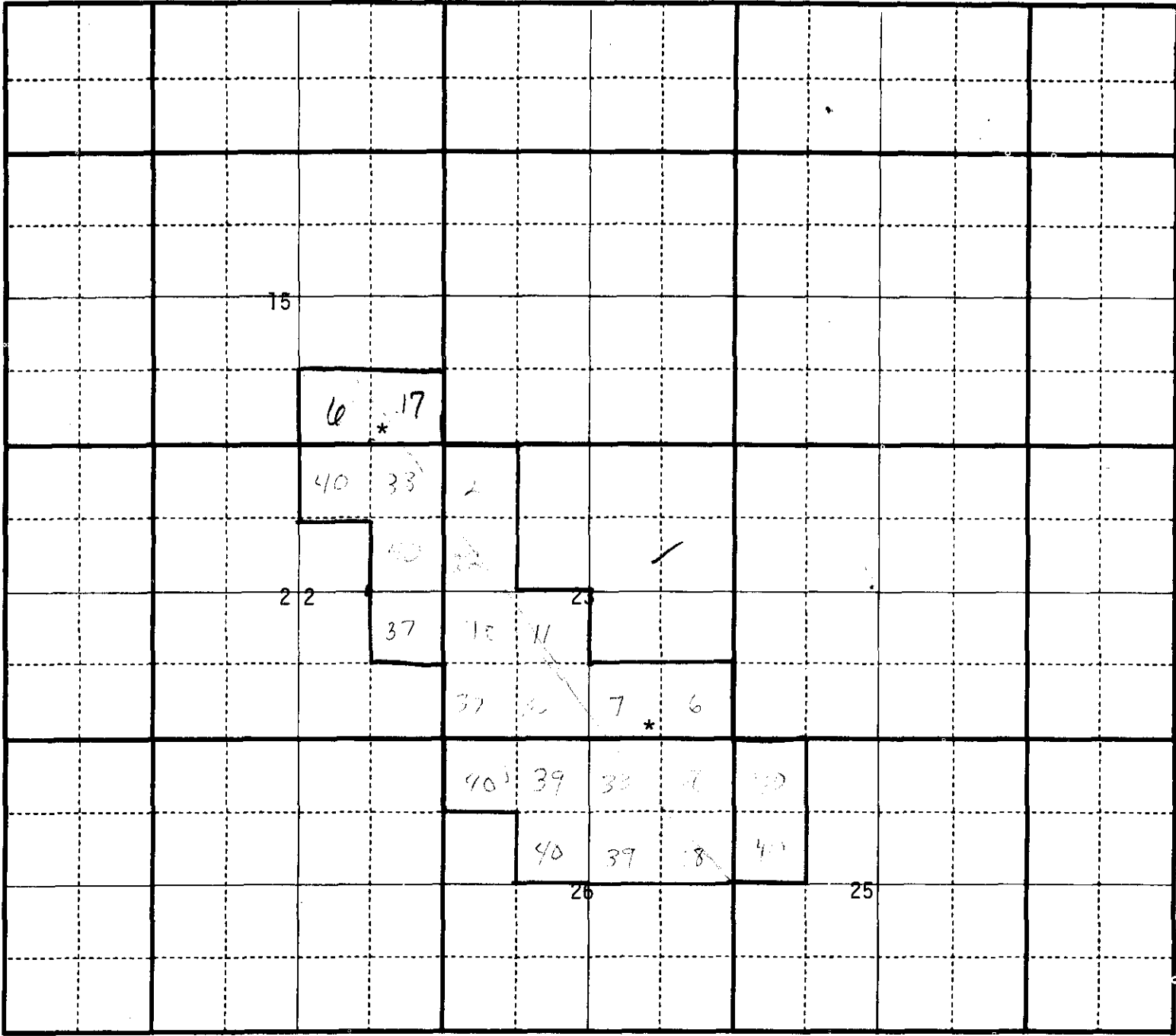


Diagram of System

DATE OF EXAM 7-16-75

ACREAGE
Found 6.58
Recommended 6.58

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 2.68 c.f.s. V = 653.0 AF/Ann. from MAY 1 to Sept 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 5.52 C.F.S. ^{see file # 37-2713} Method of measurement Badgers
M0644688

Total Q recommended 2.68 C.F.S. Meter No. M0688419 Type 12" Condition New

Total V recommended 653.0 Ac Ft/ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

$$Q = 2.18 \text{ C.F.S.} = (43,560 \frac{\text{cu.ft.}}{\text{Ac.Ft.}}) (1.001 \frac{\text{Ac.Ft.}}{\text{Rev.}}) (3 \text{ Rev})$$

$$\text{Total } 3.34 \text{ C.F.S.} = (1500 \text{ gal/min}) \div (448.8 \text{ gal/min})$$
$$V = 653 \text{ Ac Ft/ANN} = (1.98 \text{ Ac Ft} \div \text{C.F.S.}) (2.68 \text{ C.F.S.}) (123 \text{ days})$$

SYSTEM DESCRIPTION:

- ① G.E. MOTOR 60 Hp # KBJ1019479 Kline Pump
 - ② " " 40 Hp # NYJ117309 " "
 - ③ MARATHON Elec. A-J 196616-322-1 " "
- Sprinkler System.

REMARKS:

Examiner's Signature Larry Lundberg Date 7-16-75

Checked by Larry D. Blau Date 7-25-75

Approved by Michael Stueb Date 11-21-75

June 12, 1975

Re: Permit No. 37-7356

Spencer F. Eccles
Box 390
Salt Lake City, Utah 98110

Dear Mr. Eccles:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has been advanced to April 28, 1974.

Before a license can be issued, a field examination will be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, however, our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our District Office in Twin Falls.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Encl: Order of Reinstatement

RECEIVED

SPENCER F. ECCLES
79 SOUTH MAIN ST. P.O. BOX 390
SALT LAKE CITY, UTAH 84110

June 3, 1975

Original

State Of Idaho
Department Of Water Resources
Statehouse
Boise, Idaho 83707

Attention: R. Keith Higginson, Director

Gentlemen:

I am enclosing herewith the completed Proof of Application of Water to Beneficial Use, which you sent to me with your letter of March 31, 1975. I experienced some delay in getting the required water meters installed, and then I had to wait until the meters could be examined by the watermaster before I could complete this report. Thus, I was not able to meet the June 1 date stated in your letter; however, I hope you will understand my good intentions, and that you will find the form in satisfactory order.

If you have any questions or if you need any further information, please let me know.

Sincerely yours,



S. F. Eccles
President

SFE/ah
Enclosure

RECEIVED

Identification No. _____

Permit No. 37-7356

late jr

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Spencer F. Eccles
 b) Post Office Address P. O. Box 390, Salt Lake City, Utah 84110
 2. Permit Number 37-7356

3. Date of Priority that you are prepared to establish April 23, 1974

4. a) Source from which water was appropriated Subterranean
 b) Location of the point of diversion: #1 SW SE 23
#2 SE SE 15
 Township 2N, Range 18 EBM Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
 Amount 2.684 cfs for irrigation purposes from April 1 to November 1 incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 Amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 Amount _____ for _____ purposes from _____ to _____ incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 12.684 cfs and/or acre-feet per annum
 c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Badger flow meter - Read by Reid J. Newby, Watermaster,
Water District 37 & 37 m , May 22, 1975

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

 b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) _____

	Motor Size	Well Caseing	Depth of Well
#1	50 h.p.	12"	145 feet
#2	40 h.p.	12"	125 feet

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
#1 = 12" Badger flow meter = 8.34 cfs
#2 = 8" Badger flow meter = 4.33 cfs

c) Give well driller's name and address and the date the well was completed: _____
#1 George Rossler, Shoshone, Idaho (Completed ?)
#2 George Rossler, Shoshone, Idaho (Completed ?)

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 6-11-75 by jr

RECORDED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	18	15															17	6	23
		22	23	40		40									37				150
		23					2	2			11	40	37	33			7	6	158
		25						40	40										80
		26	38	33	39	18	39	40		40									247

Total number of acres irrigated 658

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

May 30, 1975
(Date)

Spencer F. Eccles
Spencer F. Eccles
(Signature)

State of Utah)
County of Salt Lake) ss.

On this 30th day of May, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Anna C. Jacobson
Notary Public residing at Salt Lake
City, Utah

My commission expires 3-31-76



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

June 4, 1975

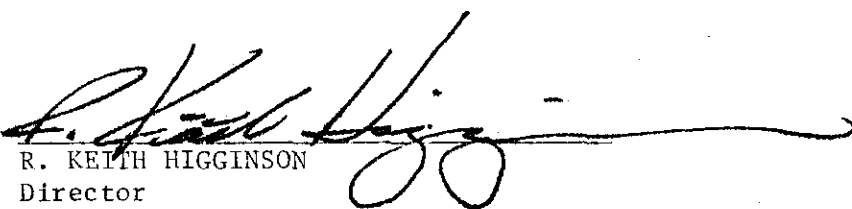
Re: Permit No. 37-7356

Mr. Spencer F. Eccles
Box 390
Salt Lake City, Utah 98110

Dear Mr. Eccles:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 37-7356 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:jg

MICROFILMED

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

ARTICLE ADDRESSED TO:

FIRST SECURITY BANK

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.

26653

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

WELLS FARGO ARMORED SERVICE

E. W. Barker

DATE OF DELIVERY

POSTMARK

2
1975

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

APR 2 1976
PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

March 31, 1975

CERTIFIED MAIL

#26653

Re: Permit No. 37-7356

Spencer F. Eccles
P. O. Box 390
Salt Lake City, Utah 98110

Dear Mr. Eccles:

One of the conditions of approval of your water Permit No. 37-7356 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECEIVED
MAY 1 1975

May 28, 1974

Re: Permit No. 37-7356

Spencer F. Eccles
P. O. Box 390
Salt Lake City, Utah 98110

Dear Mr. Eccles:

Enclosed is a copy of your approved Application for Permit No. 37-7356 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

37 7356

April 26, 1974

RE: Application No. 37-7356 - Spencer F. Eccles

Wood River Journal
P.O. Box 988
Hailey, Idaho 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Bob Haynes
Southern District Engineer

Bill submitted 5-16-74 LT

37 7356

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Spencer F. Eccles, P. O. Box 390, Salt Lake City, Utah has on 4-23-74 submitted Application No. 37-7356 for a permit to appropriate 2.68 cubic feet per second of water from subterranean by means of 2 wells and pumps in existence within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T 2N, R 18E, B.M., Blaine Co. to be used from May 1 to Sept. 1 for irrigation of 658 acres within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T 2N, R 18E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before May 20, 1974.

R. KEITH HIGGINSON
Director

Published: Wood River
Journal, Blaine County, May
2 and 9, 1974.

RECEIVED

MAY 1 1974

Department of Water Administration
Southern District Office

5-1-74
ok LT

37 7356

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Spencer F. Eccles
P.O. Box 390, Salt Lake City, Utah
has on 4-23-74 submitted Application No. 37-7356
for a permit to appropriate 2.68 cubic feet per second ~~2.68 cubic feet per second~~
of water from subterranean
by means of 2 wells and pumps in existence
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T 2N, R 18E, B.M., Blaine Co.

to be used from May 1 to Sept. 1
for irrigation of 653 acres

within the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22; W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 23; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T 2N, R 18E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before May 20, 1974.

R. KEITH HIGGINSON

Director

Published in the Wood River Journal
on 5-2 and 5-9-74

37 7356

April 26, 1974

RE: Application No. 37-7356 - Spencer F. Eccles

Mr. John R. Rowe
Moffatt, Thomas, Barrett & Blanton
P.O. Lock Box 829
Boise, Idaho 83701

Dear Mr. Rowe:

Enclosed is your Receipt No. 14377 for your check in the amount of \$47.50 for the above referenced application for permit which was received in the Boise State office 4-23-74.

Sincerely,

Lydia L. Tippet
Secretary

enc.

37 7356

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON
CHARTERED

FIRST SECURITY BANK BUILDING
P. O. LOCK BOX 829

BOISE, IDAHO 83701

OFFICE ADMINISTRATOR
THOMAS D. MCINTYRE

TELEPHONE
AREA CODE 208
345-2334

WILLIS C. MOFFATT
EUGENE C. THOMAS
JOHN W. BARRETT
J. CHARLES BLANTON
R. B. ROCK
RICHARD C. FIELDS
RICHARD E. HALL
MYRON D. GABBERT, JR.
MICHAEL G. BRADY
DON G. BROOKS
DONALD W. LOJEK
CHARLES W. HOSACK
JOHN R. ROWE

RECEIVED

APR 25 1974

April 17, 1974

Department of Water Administration
Southern Field Office

State of Idaho
Department of Water
Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho

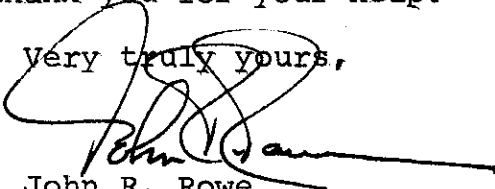
Re: Application for Permit - Spencer F. Eccles

Gentlemen:

Enclosed is Mr. Spencer Eccles' Application For Permit for irrigation purposes. Also enclosed is our check in the amount of \$47.50; \$45.00 to file the application and \$2.50 for the copies of Mr. Edward A. Gage's application for permit and water license No. 37-2713 which you sent to us on April 16, 1974.

Please contact me if you encounter any problems with the enclosed application, and thank you for your help.

Very truly yours,


John R. Rowe

V:aa
Encs.

Rec'd
#14377

37 7356

April 16, 1974

RE: Water License No. 37-2713
Edward A. Gage

Mr. John Rowe
P. O. Box 829
Boise, Idaho

Dear Mr. Rowe:

Per your telephone call of today, enclosed is a copy of Mr. Edward A. Gage's application for permit and water license No. 37-2713. The fee for these copies is \$2.50 which you may remit at your earliest convenience.

If we can be of further assistance to you please feel free to contact us.

Very truly yours,

(Mrs.) ELEANOR J. WOODS
Records Supervisor

EJW:e

Enclosure

37 7356